

FINAL BILL REPORT

SB 5064

C 253 L 02
Synopsis as Enacted

Brief Description: Defining degrees of gambling cheating.

Sponsors: Senators Prentice and Winsley; by request of Gambling Commission.

Senate Committee on Labor, Commerce & Financial Institutions

House Committee on Commerce & Labor

House Committee on Criminal Justice & Corrections

Background: Generally, gambling statutes define the crime of cheating as the use of a device or scheme to defraud a player or operator; engaging in acts that operate as fraud; engaging in acts with the intent to cheat; and conspiring to cheat with others. Defendants found guilty of cheating are charged with a gross misdemeanor. When a defendant is guilty of a gross misdemeanor, the court may impose a sentence up to one year in jail, and fines not more than \$5,000, or both.

Summary: Cheating when participating in a gambling activity is divided into two separate crime classifications.

A person is guilty of cheating in the first degree if he or she engages in cheating and conspires with another to cheat, or engages in cheating when licensed or permitted by the Washington State Gambling Commission. Cheating in the first degree is a class C felony ranked at seriousness level IV on the sentencing grid (three to nine months for a first offense). The court may also impose a fine up to \$20,000.

A person is guilty of cheating in the second degree if he or she engages in cheating and his or her conduct does not constitute cheating in the first degree. Cheating in the second degree is a gross misdemeanor and the court may impose a sentence up to one year in jail and fines not more than \$5,000, or both.

Votes on Final Passage:

Senate	45	0	
House	93	1	(House amended)
Senate	39	0	(Senate concurred)

Effective: June 13, 2002